

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document # **5**

USCA NO. \_\_\_\_\_

SDNY NO. 07-cv-5826

JUDGE: DAB

DATE: July 24, 2007

Young

-v-

Burge

INDEX TO THE RECORD ON APPEAL JUL 24 2007

PREPARED BY (NAME) THOMAS PISARCZYK  
FIRM APPEALS SECTION  
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY  
500 PEARL STREET, NEW YORK, NEW YORK 10007  
PHONE NO. (212) 805-0636

DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 24th Day of July, 2007.

**United States District Court for  
the Southern District of New York**

Date: July 24, 2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07-cv-5826

D.C. JUDGE DAB

Young

-v-

Bunge

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 4, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**

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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 24th Day of July In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED, HABEAS

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05826-DAB**  
**Internal Use Only**

Young v. Burge  
Assigned to: Judge Deborah A. Batts  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 06/20/2007  
Date Terminated: 06/20/2007  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus (General)  
Jurisdiction: Federal Question

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 06/20/2007 | <u>1</u> | PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Jerry Young. (jeh) (Entered: 06/28/2007)   |
| 06/20/2007 |          | Magistrate Judge Debra C. Freeman is so designated. (jeh) (Entered: 06/28/2007)   |
| 06/20/2007 | <u>2</u> | ORDER OF DISMISSAL, For reasons set forth in this order, accordingly, the petition is dismissed filed in forma pauperis under 28 U.S.C. 1915 (a) (1) is dismissed. 28 U.S.C. 1915 (e) (2) (B) (ii). Since the habeas application presents no substantial showing of denial of constitutional right, a certificate of appealability will not issue. The court certifies pursuant to 28 U.S.C. 1915(a) that any appeal from this order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 06/20/2007) (jeh) (Entered: 06/28/2007) |
| 06/20/2007 | <u>3</u> | JUDGMENT. Ordered, Adjudged and Decreed: That the petition is hereby dismissed. Since the petition presents no question of substance for appellate review, a certificate of appealability will not issue. 28 U.S.C. 2253. The Court certifies pursuant to 28 U.S.C. 1915(a) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 06/20/2007) (jeh) (Entered: 06/28/2007)   |
| 07/18/2007 | <u>4</u> | NOTICE OF APPEAL from [3] Judgment - Sua Sponte (Petition). Document filed by John Burge. \$455.00 APPEAL FEE DUE. IFP REVOKED 6/20/07. (tp) (Entered: 07/23/2007)  |
| 07/23/2007 |          | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [4] Notice of Appeal. (tp) (Entered: 07/23/2007)   |
| 07/23/2007 |          | Transmission of Notice of Appeal to the District Judge re: [4] Notice of Appeal. (tp) (Entered: 07/23/2007)   |